PATENT APPLN. NO. 09/904,514
RESPONSE UNDER 37 C.F.R. §1.111

PATENT NON-FINAL

## IN THE CLAIMS:

1. (currently amended) A rechargeable lithium battery including a positive electrode, a negative electrode and a nonaqueous electrolyte, wherein an Li alloying metal is used as active material of at least one of said positive and negative electrodes and said Li alloying metal is covered with a thin film which is nonreactive with Li ions, permits passage of Li ion but does not have an Li ion conductivity a diamond-like carbon thin film.

## 2. (canceled)

- 3. (currently amended) The rechargeable lithium battery of elaim 2 claim 1, wherein said diamond-like carbon thin film shows two peaks Id and Ig in the Raman scattering spectrum, around 1400 cm<sup>-1</sup> and 1550 cm<sup>-1</sup>, with a ratio (Id/Ig) in intensity of 0.5 to 3.0.
- 4. (original) The rechargeable lithium battery of claim

  1, wherein said thin film has a thickness of 50 to 1,000 nm.

- 5. (original) The rechargeable lithium battery of claim 1, wherein said thin film has a volume resistivity of not exceeding  $10^{10}~\Omega\text{-cm}.$
- 6. (previously presented) The rechargeable lithium battery of claim 1, wherein an interlayer is provided between said thin film and Li alloying metal.
- 7. (original) The rechargeable lithium battery of claim 6, wherein said interlayer is formed from at least one selected from Si, Ti, Zr, Ge, Ru, Mo and W and their oxides, nitrides and carbides.
- 8. (previously presented) The rechargeable lithium battery of claim 1, wherein said Li alloying metal is provided in a film form.
- 9. (previously presented) The rechargeable lithium battery of claim 8, wherein said thin film is disposed on both sides of said film form Li alloying metal.

10. (previously presented) The rechargeable lithium battery of claim 1, wherein said Li alloying metal is at least one metal selected from Si, Ge, Sn, Al, In and Mg.